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Counsel for Plaintiff Mimi Weiss

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MIMI WEISS,

Plaintiff,

v.

THE PERMANENTE MEDICAL GROUP, INC.,

Defendant.

Case No. 3:23-cv-03490-RS

**STIPULATION REGARDING  
SCHEDULED MOTION AND DISMISSAL  
OF CLAIM**

1 Plaintiff Mimi Weiss ("Plaintiff") and Defendant The Permanente Medical Group, Inc.  
 2 ("TPMG", collectively with Plaintiff, the "Parties"), by and through their respective counsel of record,,  
 3 hereby stipulate as follows:

4 WHEREAS, on April 17, 2024, Defendant has filed a Motion for Judgment on the Pleadings (the  
 5 "Motion") with a hearing set for May 30, 2023 [CM/ECF #42];

6 WHEREAS, pursuant to Civil Local Rule 7-3, Plaintiff's Opposition to the Motion is presently  
 7 due on May 1, 2023 and Defendant's Reply on the Motion is presently due on May 8, 2023;

8 WHEREAS, lead counsel for Plaintiff Mimi Weiss, Alan Reinach, very recently suffered the loss  
 9 of an immediate family member, and will be unavailable to respond to Defendant's motion in a timely  
 10 manner; and

11 WHEREAS the parties have agreed to dismiss the First Amended Complaint's Fourth Cause of  
 12 Action for "Religious Coercion – Harassment Title VII" with prejudice in exchange for ~~for~~ a waiver of  
 13 costs and fees associated with that claim,

14 IT IS HEREBY STIPULATED AND AGREED:

- 15 1. The First Amended Complaint's Fourth Cause of Action for "Religious Coercion –  
 16 Harassment Title VII" should be dismissed with prejudice by the Court;
- 17 2. Defendant waives any right to costs and fees associated with dismissal of the First Amended  
 18 Complaint's Fourth Cause of Action for "Religious Coercion – Harassment Title VII";
- 19 3. The date for Plaintiff to file her Opposition to Defendant's Motion for Judgment on the  
 20 Pleadings should be extended two weeks, from May 1, 2024, to May 15, 2024;
- 21 4. The date for Defendant to file its Reply should be extended three weeks from May 8, 2024 to  
 22 May 29, 2024;
- 23 5. The hearing on Defendant's Motion, currently scheduled for May 30, 2024, should be  
 24 continued to June 20, 2024 at 2:00 p.m.

25 Respectfully submitted,

26 Dated: April 23, 2024

27 CHURCH STATE COUNCIL

28 By: /s/ Alan J Reinach

Alan J. Reinach  
 Jonathon S. Cherne

Attorneys for Plaintiff  
 MIMI WEISS

1  
2 Dated: April 23, 2024

SEYFARTH SHAW LLP

3  
4 By: /s/ Sean T. Strauss  
Christian J. Rowley  
Sean T. Strauss  
Galen P. Sallomi

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6 Attorneys for Defendant  
7 THE PERMANENTE MEDICAL GROUP, INC.  
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12 **Civil Local Rule 5-1(i)(3) Attestation**

13 Pursuant to Civil L.R. 5-1(i)(3), I attest that all other signatories listed, and on whose behalf this  
14 filing is submitted, concur in the filing's content and have authorized the filing. I declare under penalty  
of perjury under the laws of the United States of America that the foregoing is true and correct.

15 Alan Reinach  
16 Alan J. Reinach  
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**DECLARATION OF ALAN J. REINACH**

I, Alan J. Reinach, declare and state as follows:

1. I am an attorney at law duly licensed to practice in the Northern District of ~~California~~ California and am attorney of record for plaintiff Mimi Weiss ("Plaintiff") in the above-referenced action. I am admitted to practice law in the State of California and before the Court and, ~~because~~ because I am an attorney for Plaintiff in this matter, I am familiar with the following facts.

2. Pursuant to Civil Local Rule 6-2(a), I make this declaration in support of Plaintiff's and Defendant The Permanente Medical Group, Inc.'s ("Defendant") Stipulation Regarding Scheduled Motion and Dismissal of Claim.

3. I am seeking this extension of time with respect to Defendant's Motion for Judgment on the Pleadings due to the unforeseen death of an immediate family member – my brother. As a result of his death on April 8, 2024, I have been effectively on a modified leave from my law practice until about after his memorial service on May 5<sup>th</sup>, 2024, only attending to housekeeping matters.

4. Thus, extending Plaintiff's time to respond will enable me to attend to the briefing of this potentially outcome determinative motion.

5. There have been no previous modifications of the parties deadlines to file their respective Opposition and Reply to Defendant's Motion for Judgment on the Pleadings [CM/ECF #42].

6. The Parties do not anticipate that the requested time modification will have any impact on the schedule for this case.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the forgoing is true and correct.

Executed on April 23, 2024 in Westlake Village, California.

/s/ Alan J. Reinach  
Alan J. Reinach

**PROPOSED ORDER**

Pursuant to the Stipulation of Plaintiff Mimi Weiss ("Plaintiff") and Defendant The Permanente Medical Group, Inc.'s ("Defendant") Regarding Scheduled Motion and Dismissal of Claim, the Court hereby orders as follows:

1. The First Amended Complaint's Fourth Cause of Action for "Religious Coercion – Harassment Title VII" is hereby DISMISSED WITH PREJUDICE AND WITHOUT LEAVE TO AMEND, with each party to bear its on costs in connection with dismissal of that claim;

2. Plaintiff's Opposition to Defendant's Motion for Judgment on the Pleadings [CM/ECF #42] shall be filed on or before May 15, 2024;

3. Defendant's Reply on Defendant's Motion for Judgment on the Pleadings [CM/ECF #42] shall be filed on or before May 29, 2024;

4. The hearing on Defendant's Motion for Judgment on the Pleadings [CM/ECF #42], presently scheduled for May 30, 2024, shall be continued to June 20, 2024 at 2:00 p.m.

IT IS SO ORDERED

Dated:

Hon. Richard Seeborg  
United States District Court Judge

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